

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

**X CORP.,**

**Plaintiff,**

**V.**

**WORLD FEDERATION OF  
ADVERTISERS; MARS, INCORPORATED;  
CVS HEALTH CORPORATION; ØRSTED  
A/S; TWITCH INTERACTIVE, INC.;  
NESTLÉ S.A; NESTLE USA, INC.;  
ABBOTT LABORATORIES; COLGATE  
PALMOLIVE COMPANY; LEGO A/S;  
LEGO BRANDS RETAIL, INC.;  
PINTEREST, INC; TYSON FOODS, INC.;  
SHELL PLC; SHELL USA, INC.; and  
SHELL BRANDS INTERNATIONAL AG,**

**Defendants.**

**§ 87(2)(b)**

**Case No. 7:24-cv-00114-B**

**APPENDIX SUPPORTING SHELL PLC'S MOTION TO DISMISS FOR LACK  
OF PERSONAL JURISDICTION AND IMPROPER VENUE**

Defendant Shell plc identifies the following materials offered in support of its Brief Supporting Its Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(2) and 12(b)(3).

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Dated: May 14, 2025

Respectfully submitted,

By: /s/ Layne E. Kruse  
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*Attorneys for Defendant Shell plc*

**CERTIFICATE OF SERVICE**

I certify that on May 14, 2025, a true and correct copy of the foregoing instrument was served on all counsel of record using the Court's electronic filing system.

Dated: May 14, 2025

Respectfully submitted,

By: /s/ Layne E. Kruse  
Layne E. Kruse  
State Bar No. 11742550  
layne.kruse@nortonrosefulbright.com  
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***Attorneys for Defendant Shell plc***

# **Exhibit A**

## **Declaration of Sean Ashley**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

X CORP.

Plaintiff,

v.

WORLD FEDERATION OF ADVERTISERS ET  
AL.

Defendants.

Case No. 7:24-cv-00114-B

### DECLARATION OF SEAN ASHLEY

I, Sean Ashley, declare as follows:

1. I am a British citizen and resident of the United Kingdom, and I am the Company Secretary of Shell plc. I work at Shell Centre, London SE1 7NA, United Kingdom, the registered office of Shell plc. I am over the age of eighteen. I am competent to testify to the matters stated herein and base this declaration on my knowledge or information obtained in my professional capacity as the Company Secretary of Shell plc. Unless otherwise indicated, all statements in the declaration are based on information as of the date of execution.
2. In my capacity as Company Secretary of Shell plc, I have knowledge as to the ownership and corporate status of Shell plc.
3. Shell plc is a public limited company registered in England and Wales, with company number – 04366849, and with its registered office in London, England. Shell plc is a holding company and, as such, has no business operations of its own.
4. Shell plc has no employees and accordingly, has no employees who have participated in the activities of the World Federation of Advertisers (“WFA”) or in the Global Alliance for

Responsible Media (“GARM”). Shell plc has not paid invoices for membership in the WFA or in GARM.

5. Shell plc is the ultimate parent company of hundreds of separate legal entities around the world.

6. Shell plc does not own any tangible assets or bank accounts in the United States. Shell plc is not registered to conduct business in Texas or in any other state in the United States. Shell plc does not have any employees in Texas or in the United States. Shell plc does not maintain any office in the United States.

7. The ultimate parent of Shell USA, Inc. and Shell Brands International AG is Shell plc. Both Shell USA, Inc. and Shell Brands International AG are organized and operate separately from Shell plc and separately from each other. Officers and employees of Shell USA, Inc. and Shell Brands International AG are responsible for the day-to-day operations of those subsidiaries. None of the directors of either Shell USA, Inc. or Shell Brands International AG are directors of Shell plc. None of the directors of Shell USA, Inc., or Shell Brands International AG are employees of Shell plc.

8. Shell plc does not enter into contracts with US media companies for the purchase of services and advertising and does not approve social media advertising expenditures of subsidiaries.

9. I, Sean Ashley, declare under penalty of perjury that the foregoing is true and correct.

Executed this <sup>May 14, 2025</sup> \_\_\_ day of May 2025 in London, England.

DocuSigned by:  
Sean Ashley  
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Sean Ashley  
Company Secretary, Shell plc

# **Exhibit B**

## **Declaration of Andrea Laanio**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

X CORP.

Plaintiff,

v.

WORLD FEDERATION OF ADVERTISERS ET  
AL.

Defendants.

Case No. 7:24-cv-00114-B

**DECLARATION OF ANDREA LAANIO**

I, Andrea Laanio, declare as follows:

1. I am a citizen and resident of Switzerland, an attorney at law, and a Director of Shell Brands International AG (“SBI”). I am over the age of eighteen. I am competent to testify to the matters stated herein and make this declaration based on my personal knowledge or information obtained in my professional capacity as a Director of SBI. I have worked at SBI for more than ten years and have knowledge of its corporate governance activities and its business affairs and operations as the owner, custodian and licensor of the Shell trademark. I submit this declaration in support of the motion to dismiss for lack of personal jurisdiction filed by SBI.
2. SBI is an *Aktiengesellschaft* (AG), a public limited company, organized and existing under Swiss law.
3. The registered address of SBI’s office is in Steinhausen, Switzerland at Hinterbergstrasse 16, 6312 Steinhausen, Switzerland, where the direction, control, and coordination of SBI’s business affairs occurs.
4. SBI is responsible, *inter alia*, for development and licensing of Shell trademarks.




5. SBI has no employment contracts with anyone in the United States and has no offices located in the United States. SBI does not own any tangible assets in the United States. SBI has no bank accounts in the United States.

6. No member of SBI's board of directors reports that their personal registered address is in the United States.

7. None of the members of SBI's board of directors reports that they are employees of Shell plc or Shell USA, Inc.

Executed this 8<sup>th</sup> day of May 2025 in Steinhausen, Switzerland.

DocuSigned by:  
  
3FE115DCABDB414

Dr. iur. HSG Andrea Laanio,  
attorney at law, and a  
Director of SBI

# **Exhibit C**

## **Declaration of Ferdinand V. Aragon**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

X CORP.

Plaintiff,

v.

WORLD FEDERATION OF ADVERTISERS ET  
AL.

Defendants.

Case No. 7:24-cv-00114-B

**DECLARATION OF FERDINAND V. ARAGON**

I, Ferdinand V. Aragon, declare as follows:

1. I am the Chief Executive Officer of Shell Brands International AG (“SBI”). I am over the age of eighteen. I am competent to testify to the matters stated herein and make this declaration based on my knowledge or information obtained in my professional capacity as CEO of SBI. I have worked at SBI for more than ten years and have knowledge of its corporate governance activities and its business affairs and operations as the owner, custodian and licensor of the Shell trademark. I submit this declaration in support of the motion to dismiss for lack of personal jurisdiction filed by SBI.

2. I live in Horgen, Switzerland and work at SBI’s office in Steinhausen, Switzerland at Hinterbergstrasse 16, 6312 Steinhausen, Switzerland.

3. SBI pays an annual subscription fee for its membership in the World Federation of Advertisers (“WFA”), which subscription fee is invoiced from the WFA’s Head Office address located at Avenue Louise, 140 - 7th Floor, 1050 Brussels, Belgium with remittance and payment submitted by SBI to the WFA’s bank account located in Belgium. No SBI payments to the WFA are made to the United States.

4. In July 2020, SBI received one invoice from the WFA for a contribution towards the operating budget for the Global Alliance for Responsible Media (“GARM”). The invoice was addressed from the WFA’s Head Office address in Brussels with remittance and payment made by SBI to the WFA’s bank account located in Brussels. SBI has not located any other record of any payments made by SBI to the WFA for GARM.

5. SBI was not a GARM Steer Team member.

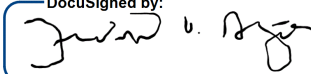
6. SBI has no employment contracts with anyone in the United States and has no offices located in the United States. SBI does not own any tangible assets in the United States. SBI has no bank accounts in the United States.

7. No member of SBI’s board of directors reports that their personal registered address is in the United States.

8. The ultimate parent of SBI is Shell plc. SBI is organized and operates separately from Shell plc. Officers and employees of SBI are responsible for its day-to-day operations. None of the officers and directors of SBI reports that they are directors or employees of Shell plc or Shell USA, Inc.

9. During the time period from 2019 to 2024 when GARM existed, all individuals with decision-making authority either over or impacting SBI’s relationship and interaction with the WFA and/or GARM were based in Europe.

Executed this <sup>May 13, 2025</sup> \_\_\_ day of May 2025 in Horgen, Switzerland.

DocuSigned by:  
  
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Ferdinand V. Aragon  
Chief Executive Officer, Shell Brands  
International AG

**Exhibit D**  
**Declaration of Lynn S. Borgmeier**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

X CORP.

Plaintiff,

v.

WORLD FEDERATION OF ADVERTISERS ET  
AL.

Defendants.

Case No. 7:24-cv-00114-B

**DECLARATION OF LYNN S. BORGMEIER**

I, Lynn S. Borgmeier, declare as follows:

1. I am a citizen and resident of the United States, and I am the Corporate Secretary of Shell USA, Inc. I work at Shell USA, Inc.'s headquarters at 150 North Dairy Ashford Road, Houston, TX 77079. I am over the age of eighteen. I am competent to testify to the matters stated herein and base this declaration on my knowledge or information obtained in my professional capacity as the Corporate Secretary of Shell USA, Inc. Unless otherwise indicated, all statements in the declaration are based on information as of the date of execution.
2. In my capacity as Corporate Secretary of Shell USA, Inc., I have knowledge as to the ownership and corporate status of Shell USA, Inc.
3. Shell USA, Inc. is incorporated under the laws of Delaware.
4. The ultimate parent of Shell USA, Inc. is Shell plc. Shell USA, Inc. is organized and operates separately from Shell plc and from Shell Brands International AG. Officers and employees of Shell USA, Inc. are responsible for its day-to-day operations. None of the officers and directors of Shell USA, Inc. are directors or employees of Shell plc, nor are they officers or directors of Shell Brands International AG.

5. Shell USA, Inc. does not occupy any offices in the Northern District of Texas and does not maintain any employees in the Northern District of Texas.

6. Shell USA, Inc. has no record of paying any invoices for membership in the World Federation of Advertisers (“WFA”) or the Global Alliance for Responsible Media (“GARM”). Shell USA, Inc. has no record of paying any invoices from X Corp. or Twitter Inc.

7. I, Lynn S. Borgmeier, declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 14th day of May 2025 in Houston, Texas.

Signed by:  
*Lynn Borgmeier*  
A63155463256454...  
Lynn S. Borgmeier  
Corporate Secretary  
Shell USA, Inc